

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

THE ESTATE OF YARON UNGAR by and through its Administrator, DAVID STRACHMAN; DVIR UNGAR minor, by his guardians and next friends, YISHAI UNGAR, minor, by his guardians and next friends, PROFESSOR MEIR UNGAR, JUDITH UNGAR, individually and in their capacity as legal guardians of Plaintiffs DVIR UNGAR and YISHAI UNGAR; RABBI URI DASBER, and JUDITH DASBERG, in their capacity as legal guardians of Plaintiffs DVIR UNGAR and YISHAI UNGAR, AMICHAH UNGAR, DAFNA UNGAR and MICHAEL COHEN,

Plaintiffs,

-against-

ORASCOM TELECOM HOLDING S.A.E.  
(a/k/a "Orascom Telecom" a/k/a "OTH") and  
THE PALESTINE INVESTMENT FUND  
(a/k/a "Palestinian Investment Fund" a/k/a  
"Sharekat Sundouk al-Istithmar al-Filistinee"),

Defendants.

# X

Civil Action No.  
05-CV-7765 (CM)(LMS)

x

**DECLARATION OF THOMAS G. ROHBACK IN SUPPORT OF LEBOEUF  
LAMB GREENE & MACRAE LLP'S MOTION TO INTERVENE**

STATE OF NEW YORK )

:SS

COUNTY OF NEW YORK )

Thomas G. Rohback, being duly sworn, deposes and says:

1. I am a member of the Bar of the State of New York and a member of the law firm of LeBoeuf, Lamb, Greene & MacRae LLP ("LeBoeuf").

2. I submit this Affirmation in support of LeBoeuf's Motion to Intervene in the above-referenced action.

3. On or about October 9, 2006, LeBoeuf was asked to represent the Palestine Investment Fund (the "PIF") in connection with the above-captioned action and another action filed on behalf of the Ungars in the U.S. District Court for the District of Connecticut, captioned Strachman v. Palestinian Authority, 05-mc-00208-PCD..

4. On or about October 16, 2006, I sent a letter to the U.S. District Court for the District of Connecticut requesting permission to file a pleading in the Strachman v. Palestinian Authority action on behalf of the PIF. A true and correct copy of that letter is attached hereto as Exhibit A.

5. On October 20, 2006, as I was still trying to ascertain the relevant facts, I received a letter from Robert Tolchin, counsel to the Ungar plaintiffs. A true and correct copy of that letter is attached hereto as Exhibit B. In that letter, Mr. Tolchin asserted that the Ungars had become owners of the PIF, had held a board meeting in Palestine, had fired the existing officers and directors of the PIF, had hired Mr. Tolchin to represent the PIF, and had fired LeBoeuf.

6. On or about October 24, I wrote to Mr. Tolchin explaining that we had been asked to represent the PIF and urged him not to take any precipitous action until we could be heard by the Court. A true and correct copy of that letter is attached hereto as Exhibit C.

7. On that same day, October 24, 2006, Mr. Tolchin wrote back, re-emphasizing his view that LeBoeuf had been fired and threatened LeBoeuf with \$350,000,000 in damages if we filed any papers on behalf of the PIF. A true and correct copy of that letter is attached hereto as Exhibit D.

8. On October 26, 2006, I again wrote to the Court explaining the current situation and requested a conference since we may have an ethical, professional responsibility to protect the interests of an entity that has asked us to serve as its attorneys and cannot properly relinquish

that responsibility unless ordered to do so by the Court. A true and correct copy of that letter is attached hereto as Exhibit E.

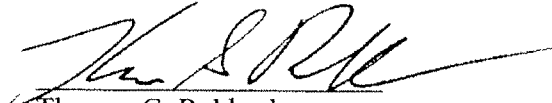
9. On October 26, 2006, we obtained copies of a Notice of Appearance and an Answer that Mr. Tolchin filed in this action on October 24, 2006. A true and correct copy of those papers is attached hereto as Exhibit F. Based on the First Amended Complaint that Mr. Tolchin filed on behalf of the Ungar Plaintiffs in this action in January 2006 (a true and correct copy of which is attached hereto as Exhibit G), and the Answer to that amended complaint that he filed purportedly on behalf of the PIF on October 24, 2006, Mr. Tolchin appears to represent the Plaintiffs and one of the defendants in this action.

10. On October 26, 2006, we also obtained copies of an entry of appearance filed in the District of Connecticut action by the Ungar Plaintiffs' Connecticut counsel, Stephen Wright, on behalf of the PIF, which was not named as a party in that action. Mr. Wright, on behalf of the Ungar Plaintiffs, filed a Motion for a Turnover Order and Appointment of a Receiver to Sell Partnership Interests of the PIF in the Canaan Funds. On behalf of the PIF, Mr. Wright filed a "Statement of the Palestine Investment Fund" in which he stated that the PIF "consents to all the relief sought in Plaintiff's Motion for a Turnover Order and Appointment of a Receiver to Sell Partnership Interests" -- the very motion that he filed on the same day on behalf of the Ungar Plaintiffs. A true and correct copy of these documents is attached hereto as Exhibit H.

11. We respectfully request that the Court issue an Order allowing LeBoeuf to intervene in this action in order to determine who should represent the PIF in this action.

I do solemnly declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 27th day of October, 2006 at New York, New York.



Thomas G. Rohback

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